

Gavin [REDACTED]
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I believe that the new legislation should look seriously at amending the old legislation where a veteran applies for a claim and this claim takes some time i.e. over twelve months or so to process by DVA and then DVA do not accept the claim. The veteran then applies to the Veterans' Review Board (VRB) and the VRB accept the claim then the veteran should be back paid his entitlements to the date of the original claim with DVA.

In my case I applied for my 100% pension to be increased to the Special Rate T&PI. DVA took over 15 months to process the claim and at the end my claim was not approved. At the time I was very surprised that the claim was not approved and therefore I approached the VRB and applied again under the VRB. I wasn't hopeful of being successful as I had been knocked back by DVA so many times before.

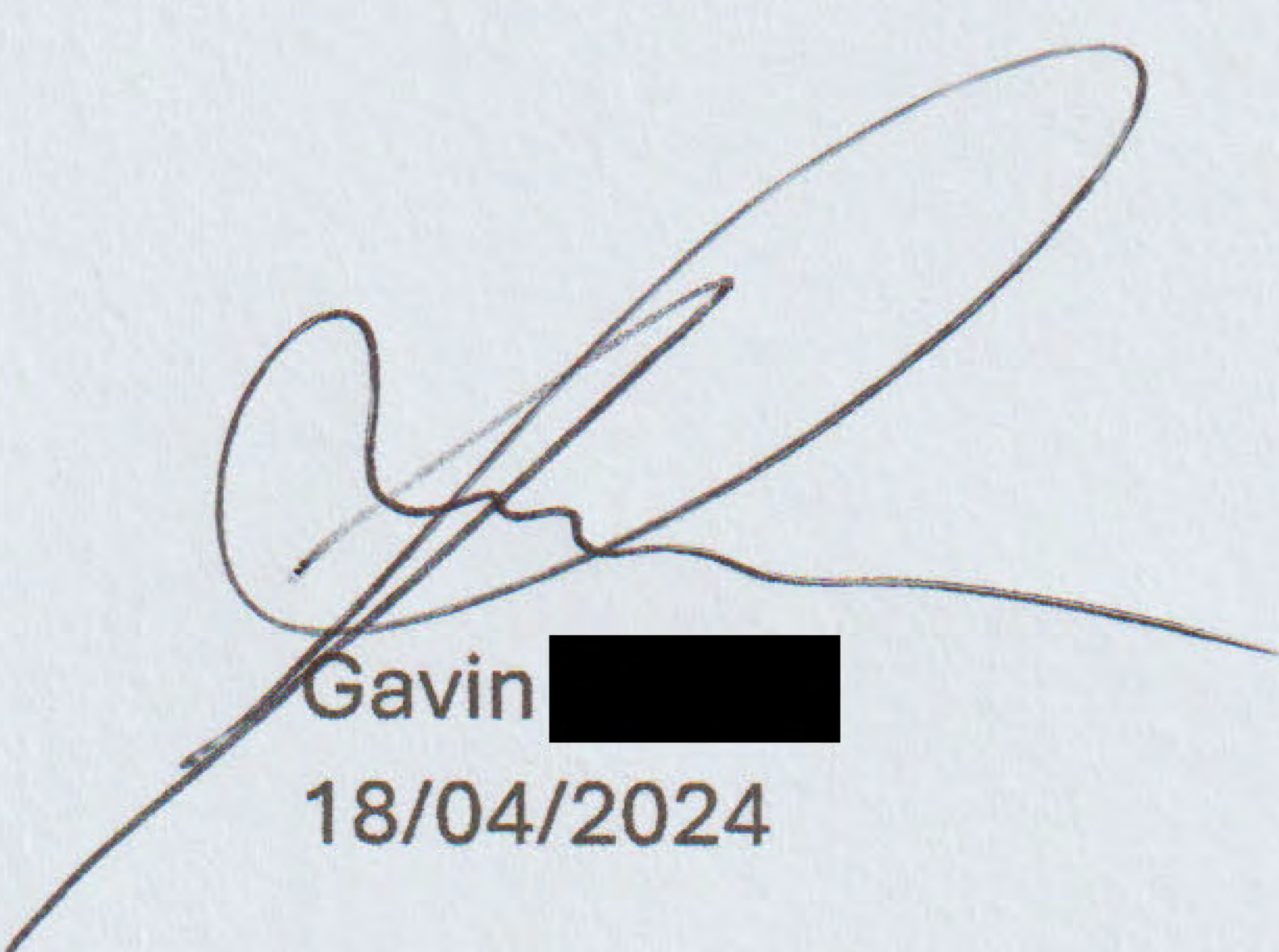
Within 2 to 3 weeks, I was contacted by a member of the VRB who wanted to assist me with my application. I was very surprised as the staff member from the VRB said that my claim was very straight forward and was surprised that DVA had said no. We went through all the processes and my claim was accepted by the VRB and my pension was increased to the Special Rate and back dated to the date I applied with the VRB.

Once I received all the paperwork from the VRB I then contacted them concerning the back dating of the accepted claim and was informed by the VRB that once a claim is not accepted by DVA and the claimant then applies to the VRB then the claimant can only receive a back dating of their claim to the date that they applied to the VRB.

My concern here is that the VRB could not understand why my claim was not accepted by DVA and DVA had time to challenge the VRB decision i.e. the 12month period following VRB's approval of my claim.

Therefore one must assume that as a claimant cannot challenge DVA when they disapprove a claim, and if the claimant does so it must be done through the VRB. The only conclusion is that the reason for the claim being refused is about the back dating of the claimant's entitlement.

During the time my claim was being processed by DVA my wife and I were utilising our superannuation to keep our heads above water. I do not want to see more veterans' going through the same and believe the only way to stop DVA from continuing with this practice is to back date the claim when a claimant applies through the VRB back to the original DVA claim.



Gavin [REDACTED]

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